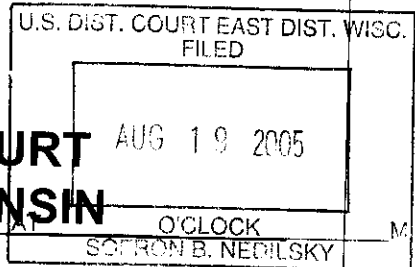


**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**



GREGORY WESLEY HAYES,

Petitioner/Defendant,

Case No. 05-C-878

95-CR-135

v.

UNITED STATES OF AMERICA,

Respondent/Plaintiff,

OPINION AND ORDER

Gregory Hayes, a prisoner in federal custody, has filed a motion for relief pursuant to 28 U.S.C. § 2255. Hayes filed a prior section 2255 motion on September 4, 1998. That motion was denied with prejudice. See Decision and Order of September 10, 1998. A successive section 2255 motion must be certified by a panel of the Seventh Circuit Court of Appeals before it can be heard by a district court. See 28 U.S.C. § 2255. Hayes has presented no proof that he has obtained certification. Therefore, the court ORDERS that this "Motion to Modify, Reduce, or Correct His Sentence Pursuant to 28 U.S.C. § 2255" (filed August 17, 2005) IS DENIED without prejudice and dismissed.


IT IS FURTHER ORDERED that the Clerk of Court shall enter a judgment of dismissal as a separate document. See Federal Rule of Civil Procedure 58. This judgment shall provide that:

Gregory Hayes brought a motion for relief pursuant to 28 U.S.C. § 2255 before the court, the Honorable Thomas J. Curran, District Judge, presiding, and relief having been denied,

IT IS ORDERED AND ADJUDGED

that this action is dismissed without prejudice.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 19th day of August, 2005.


Thomas J. Curran
United States District Judge